Docket No.: 47524/P124US/10108968

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

James A. Campbell

Application No.: 09/982,592 Confirmation No.: 7584

Filed: October 18, 2001 Art Unit: 2614

For: SYSTEM AND METHOD FOR PROVIDING Examiner: W. J. Deane

SEGMENTED APPLICATIONS

# REQUEST FOR RECONSIDERATION OF PETITION

Office of Petitions
Attn: Derek L. Woods
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

#### REMARKS

In response to the Decision on Petition mailed on 17 April 2008, please reconsider the Petition filed on 31 October 2007 in view of the following information and the attachments comprising: an Affidavit from Barbara Dalbey, and a copy of the docket for this Application.

Thank you for discussing this Application and the filed Petition during the telephone interview of 28 April 2008. Per our conversation, I have attached a copy of the docket for this Application. As I indicated in our telephone conversation, our docket is electronic, and as such the missing Notice of Allowance was entered into our docket, but after a status check that we initiated and performed on 25 October 2007.

The Affidavit of Barbara Dalbey explains the actions of Scott Mathews and Barbara Dalbey with regards to the docketing of the status check and the missing Notice of Allowance.

Applicant believes that the attached copy of the docket and the attached Affidavit from Barbara Dalbey satisfies item (3) on page 2 of the Decision on Petition.

With regard to item (1) on page 2 of the Decision on Petition, the undersigning Practitioner states that the Office communication comprising the Notice of Allowance mailed 19 July 2007 was not received by the undersigning Practitioner, as previously noted on page 3 of the Petition filed 31 October 2007. Thus, Applicant believes that item (1) on page 2 of the Decision on Petition has been satisfied.

With regard to item (2) on page 2 of the Decision on Petition, the undersigned Practitioner states that undersigning Practitioner reviewed the file and did not locate the Office communication comprising the Notice of Allowance mailed 19 July 2007. A copy of the Notice of Allowance was present in the file, but this copy was printed as a result of the status check performed on 25 October 2007. Thus, Applicant believes that item (2) on page 2 of the Decision on Petition has been satisfied.

#### **CONCLUSION**

The Applicant respectfully asserts that all of the requirements of the Decision on Petition have been satisfied and respectfully requests that the Petition be granted.

The Applicant respectfully requests that if any further information or action is required to please call the below listed attorney, if a discussion would be helpful in resolving any remaining problems.

In the event the U.S. Patent and Trademark Office determines that an extension is required or any other fee is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or

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Docket No.: 47524/P124US/10108968

other fees due in connection with the filing of this document to Deposit Account No. 06-2380 referencing docket no. 47524/P124US/10108968.

Dated: April 30, 2008

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filling system in accordance with § 1.6(a)(4).

Dated:

April 30, 2008

Signature:

Respectfully submitted

Michael A. Papalas

Registration No.: 40,381

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(214) 855-8186

(214) 855-8200 (Fax)

Attorney for Applicant

Docket No.: 47524/P124US/10108968

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

James A. Campbell

Application No.: 09/982,592

Filed: October 18, 2001

For: SYSTEM AND METHOD FOR PROVIDING

SEGMENTED APPLICATIONS

Confirmation No.: 7584

Art Unit: 2614

Examiner: W. J. Deane

### AFFIDAVIT OF BARBARA DALBEY

As shown by the docket for the above referenced Application, on October 25, 2007, one of our patent paralegals, Scott Matthews, performed a status check on portal uspto gov to ascertain the state of the case, 47524-P124US-10108968, Serial No. 09/982592. He discovered that on July 17, 2007, a Notice of Allowance and a Notice of Allowability were issued, which we had not received. He then printed the documents for docketing, and disclosed the discovery to the attorney responsible for said Application.

I, Barbara Dalbey, a docketing specialist for the department, proceeded to docket said Notice of Allowance and Allowability on that date, namely October 25, 2007, with notations in the text as to our non-receipt of said document and non-payment of Issue Fees, which had been due October 17, 2007. My user ID is bd11546, and thus the docket shows the various entries that I have made for this Application.

On October 31, 2007, a Petition to Revive was filed along with an affidavit, stating the situation as evidenced above and payment of the Issue Fees through electronic filing, which I docketed as such.

On November 16, 2007, we received the Notice of Abandonment dated November 13, 2007 for said case and it was docketed, but since we had already filed the Petition to Revive, it

was docketed with the deadline of January 13, 2008 and notated in the text as filed prior on October 13, 2007.

On December 27, 2007, our paralegal, Scott Matthews performed another status check on the portal, and discovered that the Application was still in review. Because the status still indicated that the case was Abandoned for Failure to Pay Issue Fee, he also filed a formal status inquiry on January 3, 2008 signed by the attorney responsible for said Application. He performed further portal status checks on January 30, 2008 and February 27, 2008, these were all docketed in the text.

On April 21, 2008, we received the Decision on Petition issued April 17, 2008, denying the request for revival of the application and docketed the Decision with a new deadline of June 17, 2008.

Dated: 4/30/08

Barbara Dalbey

State of Texas

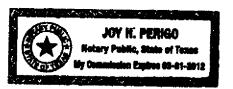
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County of Dallas

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Before me, a Notary Public, on this day personally appeared Barbara Dalbey, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements herein contained are true and correct.

Dated: 4-30-2008



Notary Public, State of Texas

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USERID	Action Taken	Event No	Event Updated	Event Notes	Event Cycle	Event Date	Event Due Date	Log Timestamp
Docket Number:	lumber:	DO-P124	DO-P124US/10108968					
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psadmin	<b>-</b>	-9685	Status Check/Notice of Missing Parts Received		<del></del>		12/18/2001	
psadmin	⊃	-9468	Foreign Filing - 3 Mo. Reminder		<b>.</b>		07/18/2002	•
psadmin	⊃	-9466	Foreign Filing - 6 Mo. Reminder		_		04/18/2002	
psadmin	<b>-</b>	-9461	Foreign Filing - 1 Mo. Reminder		_		09/18/2002	
psadmin	<b>&gt;</b>	-6229	Check Status of Foreign Filing License		_		12/18/2001	
psadmin	<b>_</b>	-144	Foreign Filing Convention Deadline		_		10/19/2001	٠.
psadmin	⊃	-21	Status Check/Official Filing Receipt Received		_		12/18/2001	6/16/04 12:22 am
psadmin	⊃	49	Status Check for First OA		_		12/18/2002	6/16/04 12:22 am
psadmin	⊃	52	18 Month Publication Status Check		_		04/19/2002	
psadmin	<b>-</b>	-11310	File Information Disclosure Statement		_		04/11/2004	-
psadmin	۵	-11310	File Information Disclosure Statement		-		10/28/2004	
sysadm	_	-11310	File Information Disclosure Statement		_		01/18/2002	
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sysadm	<b>n</b>	-9466	Foreign Filing - 6 Mo. Reminder	Past Due Date Completed	_	04/18/2002	04/18/2002	
sysadm	⊃	-9461	Foreign Filing - 1 Mo. Reminder	Past Due Date Completed	<del>-</del>	09/18/2002	09/18/2002	
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sysadm	⊃	1069	Status Check		4	01/23/2004	12/12/2003	
sysadm	_	1069	Status Check		2	06/10/2004	06/12/2004	
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sysadm	⊃	-16	Instructions Received Date for new case		_	01/01/1800		Ŧ
bd11546	_	2000365	Status Check	OA Recv'd?	9		12/10/2004	
bd11546	⊃	-14	Date of Last Change		<del>-</del>	06/10/2004		12/13/04 3:36 pm
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bd11546	<b>-</b>	2000365	Status Check	OA Recv'd?	7		06/10/2005	12/13/04 3:36 pm
jn12671	_	13338	Change Status to Pending		<b>-</b>	12/21/2004		12/21/04 2:20 pm
jn12671	⊃	-14	Date of Last Change		_	12/13/2004		
jn12671	⊃	13338	Change Status to Pending		_	12/21/2004		₹
sysadm	<b>-</b> -	-11310	File Information Disclosure Statement		<del>.</del> .		01/18/2002	
Sa	)	-11310	File Information Disclosure Statement		<b>.</b>		01/18/2002	4/22/05 /:45 pm

Event Event Log Cycle Event Date Due Date Timestamp	09/22/2006	07/28/2006 8/29/06	8/29/06	8/29/06	8/29/06	8/29/06	8/29/06	11/24/2006 8/29/06	11/8/06	11/24/2006 11/8/06	11/8/06	11/8/06	11/8/06	1 12/24/2006 11/8/06 4:23 pm 12/08/2007 11/8/06 4:23 pm	11/8/06	10/19/2000 11/18/06	12/7/06 1	1 12/07/2006 1/9/07 3:12 pm	1/12/07	1/16/07	05/08/2007 2/9/07	1 01/16/2007 2/9/07 3:50 pm	20/6/2		2/9/07	2/9/07	2/9/07	2/9/07	2/9/07	2/9/07	2/8/07	2/8/07	2 2/9/07 3:50	70/9/2	2/9/07		
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04/28/2008
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Log Timestamp	4/30/07 4:20 pm 4/30/07 4:20 pm 4/30/07 4:20 pm 4/30/07 4:20 pm 5/24/07 12:05 pm	5/24/07 12:05 pm 5/24/07 12:05 pm	
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Event Cycle	0 - + +		
Event Notes	Extended per Red Sheet - 10/31/07	Not paid - because did not receive from PT	Issue Notification & Acceptance of Petitio
	Status Check/No Action in 6 Months Date of Last Change Notice of Allowability Received Notice of Allowance Mail Date Issue/Publication Fees - Final Deadline Issue/Publication Fees Due in 1 month Notice of Allowance Mail Date Notice of Allowance Mail Date Notice of Allowability Received Notice of Allowability Received Notice of Allowability Received Issue/Publication Fees - Final Deadline Issue/Publication Fees - Final Deadline Issue/Publication Fees - Final Deadline Issue/Publication Fees Paid Status Check/No Action In 6 Months	Issue/Publication Fees Paid Issue/Publication Fees - Final Deadline Petition to Revive Filed Petition to Revive Filed Status Check/No Action In 6 Months Date of Last Change Petition to Revive Deadline Notice of Abandonment Mail Date Notice of Abandonment Mail Date Change Status to Abandoned Change Status to Pending Petition to Revive Filed	Petition to Revive Filed Petition to Revive Filed Status Check/Petition to Revive Accepted Petition to Revive Deadline Status Check/Petition to Revive Accepted Status Check/No Action In 6 Months Change Status to Allowed Change Status to Pending Date of Last Change Change Status to Pending Change Status to Pending
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tb10165	<b>)</b>	-14	Date of Last Change		_ ,	12/26/2007	6	_
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pd11546	_	2000365	Status Check		10			3/28/08 2:20 pm
bd11546	_	-14	Date of Last Change		τ-	02/29/2008		3/28/08 2:20 pm
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bd11546	⊃	2000060	Petition to Revive Deadline		2			•
bd11546	_	2000256	Notice of Abandonment Mail Date		8			
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bd11546	_	2000256	Notice of Abandonment Mail Date		7			
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bd11546	_	13338	Change Status to Pending		_	04/17/2008		4/21/08 3:24 pm
bd11546	_	13338	Change Status to Pending		_	04/17/2008		4/21/08 3:24 pm
bd11546	⊃	-11549	Status Check/No Action In 6 Months	Issue Notification	_		05/31/2008	4/21/08 3:26 pm
bd11546	⊃	13375	Change Status to Allowed		_	12/06/2007		
bd11546	⊃	13338	Change Status to Pending		_	04/17/2008		
bd11546	٥	13338	Change Status to Pending		-			4/21/08 3:29 pm